IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS WACO DIVISION

SWISSDIGITAL USA CO., LTD,

Plaintiff,

W-21-CV-00453-ADA-DTG

V.

WENGER S.A.,

Defendant.

CLAIM CONSTRUCTION ORDER

The Court held a *Markman* hearing on June 9, 2022. During that hearing, the Court provided its final constructions. The Court issues this Order to memorialize the Court's final rulings for the parties, and to inform the parties that the Court plans to issue a more detailed Order explaining its analysis in due course. The deadline to file any objections to the undersigned's claim construction rulings (pursuant to Federal Rules of Civil Procedure 59 and 72) do not need to be filed until 14 days after that more fulsome Order is entered on the docket.

SIGNED this 14th day of June, 2022.

DEREK T. GILLILAND

UNITED STATES MAGISTRATE JUDGE

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Final Construction
"retained outside" '071 Claims 1, 10	No construction necessary; plain and ordinary meaning	§ 112(b). Alternatively, retained entirely outside of	Plain and ordinary meaning
"adjacent to" '071 Claims 1, 10	No construction necessary; plain and ordinary meaning	§ 112(b). Alternatively, adjoining	Plain and ordinary meaning
"in communication with" '071 Claims 1, 10	No construction necessary; plain and ordinary meaning	Attached to	Plain and ordinary meaning
'138 Claim 23 "covers" '071 Claims 1, 10	No construction necessary; plain and ordinary meaning	§ 112(b). Alternatively, overlapping; on top of	Plain and ordinary meaning
"exposed" '071 Claims 1, 10	No construction necessary; plain and ordinary meaning	Not fully covered	Plain and ordinary meaning
"fixedly attached" '071 Claims 1, 10	No construction necessary; plain and ordinary meaning	Connected to the bag or luggage permanently	Plain and ordinary meaning
"at the body opening"	No construction necessary; plain and ordinary meaning	§ 112(a), (b). Alternatively, adjoining a cutout in the body	Plain and ordinary meaning
'138 Claim 23		where the inner surface of the bag or luggage and the outer surface of the bag or luggage meet	
"retained in" '138 Claim 23	No construction necessary; plain and ordinary meaning	§ 112(a), (b). Alternatively, held in permanent or semi- permanent attachment	Plain and ordinary meaning